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FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC PRIORITY 8754
INFO RHEHNSC/NSC WASHDC PRIORITY
RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 1838
RUEHNE/AMEMBASSY NEW DELHI 5312
RUEHUL/AMEMBASSY SEOUL 8912
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RUEKJCS/SECDEF WASHDC
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L RANGOON 000148

SIPDIS

DEPT FOR EAP/MLS, DRL, AND IO
PACOM FOR FPA

E.O. 12958: DECL: 03/09/2019

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [PINR](#) [BM](#)

SUBJECT: BURMA: TWO OPPOSITION LAWYERS COMPLETE PRISON
SENTENCES

REF: RANGOON 873 AND PREVIOUS

Classified By: P/E Chief Jennifer Harhigh for Reasons 1.4 (b) & (d)

¶1. (C) Opposition lawyers U Aung Thein and U Khin Maung Shein were released from prison on March 6, following completion of their four-month sentences. Both attorneys were charged with contempt of court on October 30, 2008 after protesting the lack of due process in the trials of several detained activists they represent. In early November a lower court judge referred the case to the Supreme Court, to which the lawyers are admitted, and on November 7, the two were sentenced by a Supreme Court deputy justice to four months in prison for contempt (reftel). They began serving their sentences November 8, 2008 in Insein Prison in Rangoon but were subsequently transferred.

¶2. (C) U Aung Thein and U Khin Maung Shein are among the most prominent defense attorneys representing detainees, and their clients include Min Ko Naing, Ko Ko Gyi and U Gambira. U Aung Thein told us March 9 that he was released from Pathein prison (Irrawaddy Division) and that Khin Maung Shein was released from Myaung Mya prison (Irrawaddy Division) on Friday, March 6. U Aung Thein pledged to return immediately to his legal work, following a March 9 medical checkup. He confirmed that both lawyers retain their license to practice law.

¶3. (U) Post suggests the following points be included in any press guidance on this issue:

-- We can confirm U Aung Thein and U Khin Maung Shein were released from prison on March 6.

-- The release of these two attorneys was not part of an amnesty; nor were the charges against them dropped. Each served their full four-months prison term after being sentenced for contempt of court for lodging complaints about the lack of due process in their clients' trials.

-- We condemn the attempt by the regime to intimidate these and other defense lawyers in connection with their legal representation of political detainees. We further reiterate our call for the regime to release all political prisoners immediately, and begin a genuine, meaningful dialogue with democratic and ethnic groups.

VAJDA